

**A RESOLUTION BY
FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO SILVERTON BANK IN AN AMOUNT NOT TO EXCEED FIFTY THREE THOUSAND EIGHT HUNDRED SIXTY FOUR DOLLARS AND EIGHTY THREE CENTS (\$53, 864.83) FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FDOA 1001(General Fund) 200301 (NDP Unallocated –Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); AND FOR OTHER PURPOSES.

WHEREAS, Silverton Bank has requested a refund in the amount of FIFTY THREE THOUSAND EIGHT HUNDRED SIXTY FOUR DOLLARS AND EIGHTY THREE CENTS (\$53, 864.83) for an overpayment of business license fees in 2007; and

WHEREAS, Silverton Bank has submitted supporting documents to the Office of Revenue to substantiate its claim; and

WHEREAS, the Office of Revenue investigated the claim and has determined that Silverton Bank is entitled to a refund in an amount not to exceed FIFTY THREE THOUSAND EIGHT HUNDRED SIXTY FOUR DOLLARS AND EIGHTY THREE CENTS (\$53, 864.83)

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Chief Financial Officer is hereby directed to issue a refund to Silverton Bank in an amount not to exceed FIFTY THREE THOUSAND EIGHT HUNDRED SIXTY FOUR DOLLARS AND EIGHTY THREE CENTS (\$53, 864.83) for overpayment of business license fees to the City of Atlanta in 2007.

BE IT FURTHER RESOLVED, that said refund shall be charged to and paid from FDOA 1001(General Fund) 200301 (NDP Unallocated –Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources).

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview:

Caption:

Council Meeting Date:

Requesting Dept.:

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The purpose of this legislation is to refund erroneous payment of Business License Fees .

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

Silverton Bank located at 3284 Northside Parkway, Atlanta, GA. 30327, relocated to the City of Atlanta from Cobb County , Georgia in calendar year 2008 but remiied their 2007 business tax payment to City of Atlanta for that tax period in error. Resulting in an erroneous payment of taxes in the amount of \$ 53,864.83 for the tax reporting calendar year of 2007.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:
- (h) Term of Contract:

4. Fund Account Center:

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact: The legislation will result in a reduction in the amount of \$ 53,864..83 to the 1001 (General fund), 200301 (NDP Unallocated-Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources).

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: N/A

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.***
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.***

This Legislative Request Form Was Prepared By: Jerome Bodiford, Finance Department x6431, submitted by LaShawn Gardiner, x6449

City of Atlanta
Office of Revenue
Business Tax Division

REFUND REQUEST APPROVAL

Date April 23, 2009


Account # 134667 LGB

Business Name Silverton Bank N.A.

Requested Refund Amount \$ 53,864.83

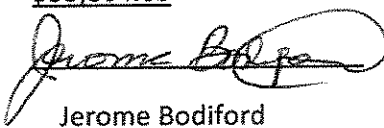
Mailing Address 3284 Northside Pkwy, NW
Atlanta, GA 30327

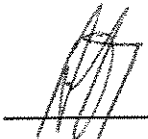
SSN/FEIN 58-1630871

Confirmed By Jerome Bodiford  (Initials)

Date April 20, 2009

Reason for Request Customer relocated from Cobb County taxing jurisdiction in 2008 but remitted 2007 Business taxes to City of Atlanta in error.

Approved By \$53,864.83

Jerome Bodiford


Gary Donaldson

To Be Completed by Processor

Office of Revenue Representative _____ Date _____

Disbursement Number _____ Date _____

Completed, Copied & Filed _____

Copies Available Upon Request Only

rh
9-26-08

City of Atlanta
Office of Revenue
Business Tax Division

REQUEST FOR REFUND

Date April 23, 2009

Account # 134667 LGB

To: Jerome Bodiford, Business Tax Manager (Approval Initials _____)

From: Customer Service

Business Name Silverton Bank, N.A.

Business Location 3284 Northside Pkwy, NW
Atlanta, Georgia 30327

Mailing Address 3284 Northside Pkwy, NW Atlanta, GA. 30327

Telephone Number 770-805-2000

Contact Person Jim Zavodny – Corporate Accounting Manager

Reason for Request Silverton Bank N.A. a financial banking institution relocated from Cobb County Georgia in the calendar year of 2008 but remit business tax fee payments to the City of Atlanta for the 2007 tax year in error. Therefore Silverton Bank N.A. is requesting a refund for that tax period.

Silverton Bank, N.A.

Refund Amount \$53,864.83

Federal Tax ID# 58-1630871

Make Disbursement Payable to Silverton Bank, N.A.

3284 Northside Pkwy N.W. Atlanta, GA. 30327

Submitted by: 

Date

4/23/2009

Approved by: _____

Date

4/23/09

rh 9-26-08

TEL 770-805-2000
800-277-2265



America's Correspondent Bank

3284 NORTHSIDE PKWY, NW
ATLANTA, GA 30327-2245

Mr. Jerome Bodiford
City of Atlanta
Business Tax Division
55 Trinity Avenue S.W.
Atlanta, GA 30303

Re: 2008 General Business License
Account #134667LGB for reporting period 01/01/2008

Mr. Bodiford

Per our phone conversation on Thursday, March 19th Silverton Bank is requesting a refund of \$53,864.83 paid to the City of Atlanta on September 25, 2008 for the above mentioned account. Silverton Bank moved to our current location, at 3284 Northside Pkwy, Atlanta, GA 30327, in mid-February of 2008. For the tax period in question, Silverton Bank was obligated to Cobb County for payment of its business license tax. As requested, I have attached copies of the PT-440 and payment made to Cobb County for the 2007 reporting period. Also included is a copy of the check to City of Atlanta for \$53,864.83.

Thank you for your assistance with this matter.

Sincerely

A handwritten signature in black ink, appearing to read "Jim Zavodny". The signature is stylized with a large, sweeping loop at the end.

Jim Zavodny
Corporate Accounting Manager
Silverton Bank, N.A.

BY _____

BLA244

BUSINESS LICENSE INFORMATION SYSTEM
BILLINGDATE: 04/10/09
TIME: 14:37:48

BILL/ACCOUNT SUMMARY INQUIRY

LICENSE/TAX NO.: 134667 LGB BUSINESS NAME: SILVERTON BANK, N.A.
ACCOUNT STATUS: R P START DATE: 2008-02-15 END DATE:
LOCATION ADDRESS: 3284 NORTHSIDE PY NW
ATLANTA GA 30327 -

COMPONENT INFORMATION	BILL	Bill	BILL DUE	BALANCE
RPT. DATE: 2009-01-01	NO	DATE	DATE	DUE 7/8/9
FILE DATE: 2009-02-15	-----	-----	-----	-----
COMP. NO.: 001021419	978056	2009-03-10	2009-04-01	\$392,598.77
COMP. TYPE: REN				
CLASS: 8				
SIC CODE: 6712	REMIT	REMIT RELATED	DATE	REMIT
SIC DESC: BANK HOLDING CO	NO	TYPE REMIT NO.	ENTERED	AMOUNT 10/11
NO. EMPLS.: 297	-----	-----	-----	-----
VOLUME: \$100,000,000.00	597019	PAY	597019	2008-09-15
4/5				-\$53864.83
	CURRENT ACCOUNT BALANCE = \$392,598.77			

1=HELP 2= 3=PREV SCR N 4=COMP FRWD 5=COMP BKWD 6=MEMO LOG
7=BILL FRWD 8=BILL BKWD 9=DSPLY BILL 10=REMT FRWD 11=REMT Bkwd 12=PREV MENU

Porter Keadle Moore, LLP
Suite 1800
235 Peachtree Street, N.E.
Atlanta, Georgia 30303



FILING INSTRUCTIONS
COBB COUNTY FINANCIAL INSTITUTION BUSINESS LICENSE TAX REPORT
RETURN OF BUSINESS LICENSE TAXES
FOR THE YEAR ENDED DECEMBER 31, 2007

SILVERTON BANK



SIGNATURE...

The **ORIGINAL RETURN** should be signed and notarized (using full name and title) and dated on Page 1 by an authorized officer of the corporation.

FILING...

The **SIGNED RETURN** should be **FILED ON OR BEFORE MARCH 1, 2008** with the following:

COBB COUNTY BUSINESS LICENSE DIVISION
191 LAWRENCE STREET
MARIETTA, GA 30060-1692

We recommend that the return be sent **CERTIFIED MAIL, RETURN RECEIPT REQUESTED** as proof of mailing and receipt of the return.

PAYMENT...

This return indicates there is a **TAX DUE OF \$112,818**. Make check payable to:

COBB COUNTY BUSINESS LICENSE DIVISION

TAXPAYER'S COPY

RETURN OF BUSINESS LICENSE TAXES

CALENDAR YEAR ENDED DECEMBER 31, 2007

FEDERAL E.I. NUMBER 58-1630871	EXACT CORPORATE NAME SILVERTON BANK F/K/A THE BANKERS BANK Street or P.O. Box 3284 NORTHSIDE PARKWAY CITY STATE ZIP CODE ATLANTA GA 30327	DO NOT USE THIS SPACE
---------------------------------------	---	-----------------------

Operating as: ☒ Bank ☐ Savings and Loan ☐ Banking Corporation ☐ Bank Holding Company

DECLARATION: I/WE declare under the penalties of perjury that I/WE have examined this return (including accompanying schedules and statements) and to the best of our knowledge and belief it is true, correct, and complete. If prepared by a person other than taxpayer, his declaration is based on all information of which he has any knowledge.

(Signature of Officer)

(Signature of Individual or Firm preparing the return) 2/18/08

(Title)

(Date)

231644954
(Identification or Social Security Number)

This return is made in accordance with O.C.G.A. 48-6-93, which authorizes municipalities and counties to levy and collect a local business license tax based upon the gross receipts, as defined, of financial institutions. The interim special tax limitation for savings and loan associations expired December 31, 1986.

IMPORTANT:

A COPY OF THIS RETURN MUST BE FILED IN EACH COUNTY AND/OR MUNICIPALITY WHERE BUSINESS IS LOCATED.

DIRECT ALL INQUIRIES TO THE CITY AND/OR COUNTY OFFICIALS
THAT HANDLE THE BUSINESS LICENSE TAXATION IN YOUR JURISDICTION

Porter Keadle Moore, LLP • 58-13030-
235 Peachtree Street, NE
Suite 1600
Atlanta, Georgia 30303

1062

COMPUTATION OF ADJUSTED GROSS RECEIPTS ALLOCATION FOR BUSINESS LICENSE TAXES
 TIONS HAVING MORE THAN 5 FULL SERVICE OFFICES

[illegible]

TAXPAYER'S COPY

Georgia Form **900** (Rev. 12/07)
Georgia Financial Institutions
Business Occupation Tax Return



0801301412

Mailing Address
Georgia Department of Revenue
Processing Center
P.O. Box 740320
Atlanta, Georgia 30374-0320

Tax Year 2008 (Year in Which Tax is Paid) ☐ Department Use Only ☒ Change of Address

A. Federal E.I. No. 58-1630871	Name (Type or Print Exact Corporate Name) SILVERTON BANK F/K/A The Bankers Bank	Original <input checked="" type="checkbox"/> Amended
B. Date of Incorporation 08-16-1985	Business Address 3284 NORTHSIDE PARKWAY	Form of Incorporation Federal State <input checked="" type="checkbox"/> Mutual
C. Incorporated Under Laws of What State GEORGIA	City/Town County State Zip Code ATLANTA, COBB GA 30327	Accounting Method Cash Accrual <input checked="" type="checkbox"/>
D. Date Admitted to Georgia 01-01-1986	Location of Books for Audit SAME AS ABOVE	

Schedule 1 - Computation of Gross Receipts (Banks and Mutual Financial Institutions:)

1. Gross Receipts (See Instructions)	1 \$ 237316264.00
2. Additions (Line 4, Schedule 5, Page 2)	2
3. Total (Line 1 plus Line 2)	3 237316264.00
4. Exclusions (Line 4, Schedule 6, Page 2)	4 19453988.00
5. Balance (Line 3 less Line 4)	5 217862276.00
6. Deductions (Line 7, Schedule 7, Page 2)	6 125671860.00
7. Balance (Line 5 less Line 6)	7 92190416.00
8. Adjusted Gross Receipts (Line 3, Schedule 8, Page 2)	8 \$ 45127209.00

Schedule 2 - Calculation of State Occupation Tax

1. Adjusted Gross Receipts (Line 8, Schedule 1)	1 \$ 45127209.00
2. Occupation Tax Rate	2 x .0025
3. Occupation Tax Due	3 \$ 112818.00

Schedule 3 - Amount Paid With Return

1. Occupation Tax (Line 3, Schedule 2)	1 \$ 112818.00
2. Interest Due (See Instructions)	2
3. Balance of Tax & Interest Due with Return	3 \$ 112818.00

Schedule 4 - Amount of Credit to be Claimed on Corporate Tax Return

1. Occupation Tax (Line 1, Schedule 3 Above)	1 \$ 112818.00
2. Business License Taxes Paid, Copy of Form(s) PT440 Must Be Attached to this Return	2 \$ 112818.00
3. Total Credit to be Claimed Against Corporate Income Tax	3 \$ 225636.00

DECLARATION: I/We declare, under penalties of perjury that I/we have examined this return (including accompanying schedules and statements) and to the best of our knowledge and belief it is true, correct, and complete. If prepared by a person other than taxpayer, his/her declaration is based on all information of which she/he has any knowledge.

Signature of Officer _____ Title _____	Date _____ (404) 588-4200 Telephone Number	 Signature of Individual or Firm Preparing Return PORTER KEADLE MOORE, LLP 231644954 Identification or Social Security Number
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GEORGIA PUBLIC REVENUE CODE SECTION 48-2-31 STIPULATES THAT TAXES SHALL BE PAID IN LAWFUL
 MONEY OF THE UNITED STATES, FREE OF ANY EXPENSE TO THE STATE OF GEORGIA.
 MAKE CHECK PAYABLE TO TAXPAYER SERVICES DIVISION AND MAIL TO
 GEORGIA DEPARTMENT OF REVENUE
 PROCESSING CENTER, P.O. BOX 740320, ATLANTA, GEORGIA 30374-0320
 THIS RETURN IS DUE ON MARCH 1ST OF THE YEAR FOLLOWING THE CALENDAR YEAR IN WHICH
 GROSS RECEIPTS ARE COMPLETED

Porter Keadle Moore, LLP - 58-1303048
 235 Peachtree Street, NE
 Suite 1800
 Atlanta, Georgia 30303

Schedule 5 - Additions to Gross Receipts

1. Net Income from Service Corporations or Subsidiaries (Applicable to Mutual Corporations Only)	1	\$	
2. Profit from Sale of Assets (if not already included in Line 1, Schedule 1, Page 1)	2		
3. Other Receipts	3		
4. Total Additions (Enter on Line 2, Schedule 1, Page 1)	4	\$	

Schedule 6 - Exclusions from Gross Receipts (if included in Line 1, Schedule 1, Page 1)

1. Interest on U.S. Government and Agency Obligations	1	\$	19453988.00
2. Interest on Georgia State, County, Municipality and other Political Subdivision Obligations	2		
3. Income Derived from Operation of a Domestic International Banking Facility or from Transactions with Persons Residing Outside of the United States (*)	3		
4. Total Exclusions (Enter on Line 4, Schedule 1, Page 1)	4	\$	19453988.00

Schedule 7 - Deductions from Gross Receipts

1. Total Interest Paid on Deposits (*)	1	\$	35913007.00
2. Total Interest Paid on Other Liabilities (*)	2		89758853.00
3. TOTAL (Line 1 plus Line 2)	3		125671860.00
4. LESS (Adjustments in Amounts on Line 1 and Line 2)	4		
5. BALANCE (Line 3 less Line 4)	5		125671860.00
6. Operating Costs Associated with Buildings Housing Financial Institutions Operations (not to exceed Rental Income derived from such Buildings) (Applicable to Mutual Corporations Only)	6		
7. Total Deductions (Enter on Line 6, Schedule 1, Page 1)	7	\$	125671860.00

(*) Deductions on Line 1 and Line 2, Schedule 7, must be reduced in the same proportion as the item in Schedule 6, indicated by (*) bear to the amount shown on Line 3, Schedule 1, Page 1.

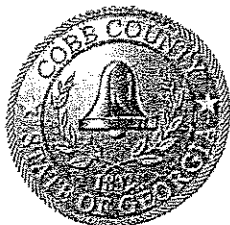
Schedule 8 - Apportionment of Gross Receipts

	a. Within Georgia	b. Everywhere	c. Georgia Factor (Col. a / Col. b) Compute to Six Decimals
GROSS RECEIPTS	45127209.00	92190416.00	0.489500
1. Balance (Line 7, Schedule 1, Page 1)	1	\$	92190416.00
2. Georgia Gross Receipts Factor (c. above)	2		0.489500
3. Gross Receipts apportioned to Georgia (Line 2 x Line 1) (Enter in Line 6, Schedule 1, Page 1)	3	\$	45127209.00

Effective for tax years due on or after March 1, 1997, Georgia Code Section 48-6-95(b)(1) provides that Georgia gross receipts for a financial institution conducting business both within and outside the State be determined using the apportionment factor prescribed under Georgia Code Section 48-7-31(d)(2)(C).

Georgia Code Section 48-7-31(d)(2)(C) states, in part, that the gross receipts factor is a fraction, the numerator of which is the total gross receipts from business within this State during the tax period and the denominator of which is the total gross receipts from business done everywhere for the tax period.

The gross receipts within Georgia and Everywhere should be calculated in the same manner as the gross receipts calculation used on the Georgia Corporate Income Tax Return (Form 600).



COBB COUNTY BUSINESS LICENSE

191 Lawrence Street
Marietta, GA 30060-1692
(770)528-8410
Fax 770-528-8414

2008 Financial Institution Business License Tax Report Form

Financial Institution: Silverton Bank f/k/a The Bankers Bank phone:770-805-2000

Mailing Address: 2410 Paces Ferry Rd, Suite 600, Atlanta, Ga 30339

Cobb County Business Location: same

Cobb County Business License Tax Number: FEI#58-1630871

I. This report is due along with a copy of the PT440, Form 900, and an independent audit report by March 1, 2008.

II. Payment of the financial institution tax shall be submitted to the Cobb County Business License office by April 1, 2008.

III. Annual business license tax shall be computed at a rate of twenty-five one-hundredths (0.25) percent of the gross receipts of the financial institution received in Cobb County.

IV. The minimum annual business license tax is one thousand dollars (\$1,000.00).

V. Prepare this report in duplicate and pay tax due, you will not be billed.

1. Total Gross Receipts in Cobb County \$ 45,127,209

2. Gross Receipts Multiplied by Tax Rate x 25%

3. Total Tax Due \$ 112,818

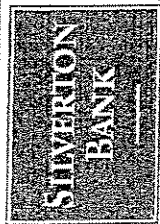
THIS REPORT MUST BE SIGNED

I certify that the statements made herein and any supporting documents are true, correct and complete to the best of my knowledge.

_____/_____/_____
Signature of Individual Date Signature of Notary Date
Preparing Report

Note: Please make checks payable and return to :

Cobb County Business License
Attn: Financial Institution Taxes
191 Lawrence Street
Marietta, GA 30060-1692



SILVERTON BANK N.A.
3284 NORTHSIDE PKWY, NW
ATLANTA, GA 30327-2245
PH: (770) 805-2000

SILVERTON BANK N.A.
ATLANTA, GEORGIA
64-341610

800142 106584

CHECK NO.

112,818PAID** 00 CENTS***

PAY
TO THE
ORDER OF

DATE
02/27/2008

AMOUNT
\$112,818.00*

MAR 4 2008
COBB COUNTY BUSINESS LICENSE DIVISION

Silvertown Bank

John E. Padden
AUTHORIZED SIGNATURE

MP

⑈00081821100⑈

⑈511400190⑈ ⑈511400190⑈ ⑈185901⑈

THE ORDER OF
AMERICA
UNIT ONLY
OF COMMISSIONERS
TREASURER

0600703614

BANK OF AMERICA N.A.
FEB 28 2008 15:06
02/28/08

0917125623
03042008
0610-0014-6
BNT=0947 TRC=0948 PK=30

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: LaShawn Gardiner

Contact Number: (404) 330-6449

Originating Department: Department of Finance

Committee(s) of Purview: FINANCE/EXECUTIVE COMMITTEE

Chief of Staff Deadline: 5/26/2009

Anticipated Committee Meeting Date(s): JUNE 9-10, 2009

Anticipated Full Council Date: JUNE 15, 2009

Legislative Counsel's Signature: Jack Tilson

Commissioner Signature:  _____

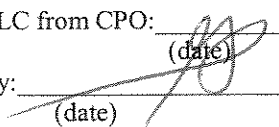
Chief Procurement Officer Signature: _____

CAPTION

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO SILVERTON BANK IN AN AMOUNT NOT TO EXCEED FIFTY THREE THOUSAND EIGHT HUNDRED SIXTY FOUR DOLLARS AND EIGHTY THREE CENTS (\$53, 864.83) FOR AN OVERPAYMENT OF BUSINESS LICENSE FEES; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FDOA 1001(General Fund) 200301 (NDP Unallocated –Citywide Employee Expenses) 5730012 (Account Refunds) 154000 (Function Activity Human Resources); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any):

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)
Received by Mayor's Office: 5/27/09 9:40 Reviewed by:  _____
(date) (date)
Submitted to Council: _____
(date)